

INTERFERENCE DIGEST

Interference No. 104,264

Paper No. 33

Name: Richard T. Dean et al.

Serial No.: 08/236,402

Patent No.

Title: TECHNETIUM-99M LABELED IMAGING AGENTS

Filed: 05/02/94

Interference with Zamora

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, Favorable Dated, 6/2/99

Court, _____ Dated, _____

REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 1

Filed by: Fred E. McKelvey
Senior Administrative Patent Judge
Box Interference
Washington, D.C. 20231
Tel: 703-308-9797
Fax: 703-305-0942

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

PAUL O. ZAMORA,

Junior Party,
(Patent 5,670,133),

v.

RICHARD T. DEAN, JOHN LISTER-JAMES
and WILLIAM McBRIDE,

Senior Party
(Application 08/236,402).

Patent Interference No. 104,264.

NOTICE DECLARING INTERFERENCE
(37 CFR § 1.611)

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application(s), patent (if any), reissue application (if any), count(s) and claim(s) designated as corresponding or not corresponding to the count(s) appear in an "Attachment" to this NOTICE DECLARING INTERFERENCE.

MAILED

NOV 30 1998

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Senior Party

Named Inventors: Richard T. Dean, Bedford, NH
John Lister-James, Bedford, NH
William McBride, Manchester, NH

Application: Application 08/236,402,
filed May 2, 1994

Title: Technetium-99m labeled imaging agents

Assignee: None

Attorneys: See last page

Accorded Benefit: Application 07/807,062,
filed November 27, 1991,
now U.S. Patent 5,443,815,
granted August 22, 1995

Address: See last page

Count 1²³

A peptide according to claim 1 of Zamora,

or

a method according to claims 8, 14 or 20 of Zamora,

or

a reagent according to claims 1 or 34 of Dean,

or

an agent according to claim 7 of Dean,

or

a complex according to claim 11 of Dean,

or

a kit according to claim 14 of Dean,

or

a method according to claims 17, 36 or 37 of Dean,

or

a multimer according to claim 24 of Dean.

²³ The count proposed by the examiner is not adopted because the language "method for detecting" does not include any steps.

The claims of the parties are:

Zamora: 1-22

Dean: 1-3, 5-8, 10-17, 19-21, 24 and 34-37

The claims of the parties which correspond to Count 1 are:

Zamora: 1-22

Dean: 1-3, 5-8, 10-17, 19-21, 24 and 34-37

The claims of the parties which do not correspond to Count 1
are:

Zamora: None

Dean: None